

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA
CASE NO. 09-01

INQUIRY CONCERNING A JUDGE NO. 09-01
RE: JUDGE N. JAMES TURNER

S. Ct. Case No. 09-1182

**FLORIDA JUDICIAL QUALIFICATIONS COMMISSION'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS TO JUDGE N. JAMES TURNER**

The Florida Judicial Qualifications Commission (the "JQC"), pursuant and accordance with Commission Rule 12(a) and Fla. R. Civ. P. 1.350, hereby requests that Judge N. James Turner ("Judge Turner") produce documents responsive to the following requests within thirty (30) days of service hereof.

DEFINITIONS

A. As used herein, "you" or "your" or "Judge Turner" means Circuit Court Judge N. James Turner.

B. As used herein, "JQC" means The Florida Judicial Qualifications Commission.

C. As used herein, the term "document" or "documents" means any and all information in tangible form and shall include, without limiting the generality of the foregoing, all letters, emails, telegrams, telexes, teletypes, correspondence, contracts, drafts, agreements, notes to file, reports, memoranda, mechanical or electronic recordings or transcripts of such recordings, blueprints, flow sheets, calendar or diary entries, memoranda of telephone or personal conversations, memoranda of meetings or conferences, studies, reports, interoffice and intraoffice communications, quotations, offers, inquiries, bulletins, circulars, statements, manuals, summaries, newsletters, compilations, maps, charts, graphs, propositions, articles, announcements, newspaper

clippings, books, public filings, records, tables, books of account, ledgers, vouchers, cancelled checks, invoices, bills, opinions, certificates, promissory notes and other evidence of indebtedness and all drafts and copies of documents as hereinabove defined by whatever means made, including any computer data (any information or programs stored in a computer or on computer disk, whether or not ever printed out or displayed), as well as any other tangible thing on which information is recorded in writing, sound laser, electronic or magnetic impulse. If multiple copies of a document exist, each copy that is, in any way, not completely identical to a copy that is being produced should also be produced.

D. As used herein, "communication" means the transmission, sharing or exchange of information or knowledge in any form, by one with another.

E. As used herein, the terms "all" and "each" shall be construed as "and," "each," and "and/or."

F. As used herein, the term "any" should be understood in either its most or least inclusive sense as will bring within scope of the discovery request all responses that might otherwise be construed to be out of its scope.

G. As used herein, the connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed outside of its scope.

H. As used herein, the term "relating" or "relate" or "referring" means concerning, regarding, with reference to, utilizing, describing, evidencing, or constituting, directly or indirectly in any way whatsoever.

I. As used herein, “transaction” shall mean the act of transacting, dealing or conducting any business or commercial activity, negotiation, acts, agreements or a series of acts and agreements whereby an alteration of rights occurs. A “transaction” may involve the following activities including, but not limited to, selling, leasing, guaranteeing, borrowing, negotiating, mortgaging or lending.

CLAIM OF PRIVILEGE

To the extent that Judge Turner objects to any document request or part thereof on the basis of a claim of attorney client or work product privilege, identify the privilege claimed as well as each item or document for which such privilege is claimed, and provide the following with respect to each such document: (a) the date thereof; (b) identify all persons present, if an oral communication; and (c) the basis on which the privilege is claimed.

DOCUMENTS TO BE PRODUCED

1. All documents reflecting, referring or relating to any transactions, communications or dealings between you or any other entity or individual acting with you or on your behalf or for your campaign and any political consultant, political fund raiser, campaign manager, pollster or any other political professional with respect to your campaign for circuit court judge or the 2008 elections generally.

2. All documents reflecting, referring or relating to any transaction, communication or dealings between you or any other entity or individual acting with you or on your behalf and any and all persons who were paid or received anything of value to work on your campaign or on behalf of your 2008 candidacy for circuit court judge.

3. All documents reflecting, referring or relating to any and all efforts to raise funds for your 2008 campaign for circuit court judge.

4. All documents reflecting, referring or relating to all transactions, dealings or communications between you or any other entity or individual acting with you or on your behalf and any partisan political candidates, partisan political party officials, partisan political public officials or party political organizations in any way related to your or any other person's 2008 campaign for elected office.

5. All documents reflecting, referring or relating to your efforts to solicit or collect contributions for your 2008 campaign for circuit court judge.

6. All documents reflecting, referring or relating to your or your campaign's efforts to promote, advance or assist any partisan political candidates' campaigns for elective office in any way during 2008.

7. All mailers, advertisements or any other materials, written, photographic, video or otherwise, prepared, created, generated or presented for or distributed to the voting public by you or on your behalf in the course of your 2008 campaign for Circuit Court Judge.

8. All documents reflecting, referring or relating to any transactions, dealings or communications between you and any other entity or individual acting for you or on your behalf and any of your opponents in the elections for the office you now hold in any way related to the 2008 campaign and election.

9. All documents which in any way relate to or support your First Affirmative Defense.

10. All documents which in any way relate to or support your Second Affirmative Defense.

11. All documents which in any way relate to or support your Third Affirmative Defense.

12. All documents which you may or will seek to introduce into evidence at the final hearing or otherwise use for any purpose in these proceedings.

13. All documents which in any way relate to or support your denials of the formal charges in this proceeding.

14. All documents reflecting, referring or relating to the Florida Bar complaint and ensuing bar proceedings against you, set forth in your Answer and Affirmative Defenses.

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and

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to Barry Rigby, Esquire, Law Offices of Barry Rigby, P.A., 934 North Magnolia Avenue, Suite 319, Orlando, Florida 32803 on this ____ day of _____, 2009.

Attorney